IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.2342 OF 2005

Neeraj D. Tripathi ... Applicant

versus

State of Maharashtra ... Respondent

...

Mr.A.M. Saraogi, for the Applicant.

Mr.A.S. Gadkari, A.P.P., for the Respondent.

...

CORAM : A.M.KHANWILKAR,J.

13th April 2005

P.C.:

. After hearing the matter at length, when I indicated my mind that I was not inclined to grant anticipatory bail, Mr. Saraogi, on instructions of the Applicant, who is personally present in Court, prayed that the Application be dismissed as withdrawn without expressing any opinion on merits of the arguments. He, however, submits that at least limited indulgence be shown

to the Applicant that he should be given some breathing time to organise his professional work and thereafter surrender before the concerned police station. He prays for 10 days' time to do the needful. Mr. Gadkari, A.P.P., on instructions of the concerned officer states that the prosecution will have no objection to adopt that course in the peculiar facts of the present case, but on clear undertaking of the Applicant that he shall report on or before the date specified by this Court to the investigating officer.

. In the circumstances, this application is dismissed as withdrawn with limited relief given to the Applicant to surrender before the investigating officer on or before 23rd April 2005.

. It is made clear that dismissal of this application shall not influence the proceedings to be taken out by the Applicant hereafter, including regular bail application, which will have to be decided on its own merits in accordance with law.

(A.M.KHANWILKAR,J.)